



SEALED

U. S. Department of Justice
United States Attorney
District of Nevada
333 Las Vegas Blvd., S., Suite 5000
Las Vegas, NV 89101

1 STEVEN W. MYHRE
 2 Acting United States Attorney
 2 KIMBERLY M. FRAYN
 3 Assistant United States Attorney
 3 Organized Crime Strike Force
 3 333 Las Vegas Blvd. South, Suite 5000
 4 Las Vegas, Nevada 89101
 4 (702) 388-6336
 5 (702) 388-6418 Fax

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
JUN 2 2007	
CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
BY:	DEPUTY

6 **UNITED STATES DISTRICT COURT**
 7 **DISTRICT OF NEVADA**

8 -oOo-

9 UNITED STATES OF AMERICA,) CRIMINAL INDICTMENT
 10 Plaintiff,)
 11 vs.)
 12 **KATHY NELSON**,) VIOLATIONS:
 13 a.k.a Kathleen Cruz,) 18 U.S.C. § 1546(a) - False Application
 13 a.k.a. Kathy Debelloitte,) 18 U.S.C. § 1001(a)(2) - False Statement
 14 a.k.a. Kathleen Lesinski) 18 U.S.C. § 1341 - Mail Fraud
 14 **GENA RAMAEKERS**,) 18 U.S.C. § 1343 - Wire Fraud
 15 a.k.a. Grazyna Ramaekers,) 8 U.S.C. § 1324(a)(1)(iv), (v)(II) -
 15 a.k.a. Grazyna Mikolajczyk, and) Inducing Aliens to Come to, Enter, and
 16 **DEZRINE JONES**,) Reside in the United States in Violation of
 16 Defendants.) Law; and
 17) 8 U.S.C. § 1324(a)(1)(iv), (v)(I) -
 17) Conspiracy to Harbor Illegal Aliens

18 .
 19 THE GRAND JURY CHARGES THAT:

20 **SUMMARY OF VIOLATIONS**

21 1. Counts One through Seven: False Application, Title 18, United States Code,
 22 Sections 1546(a) and 2, defendant **KATHY NELSON** a.k.a Kathleen Cruz, a.k.a. Kathy
 23 Debelloitte, a.k.a. Kathleen Lesinski.
 24 2. Counts Eight through Ten: False Statement, Title 18, United States Code,
 25 Section 1001(a)(2), defendant **KATHY NELSON** a.k.a Kathleen Cruz, a.k.a. Kathy
 26 Debelloitte, a.k.a. Kathleen Lesinski.

1 3. Counts Eleven and Twelve: Mail Fraud, Title 18, United States Code, Section
2 1341, defendant **KATHY NELSON** a.k.a Kathleen Cruz, a.k.a. Kathy Debelloitte, a.k.a.
3 Kathleen Lesinski.

4 4. Counts Thirteen through Seventeen: Wire Fraud, Title 18, United States Code,
5 Section 1343, defendant **KATHY NELSON** a.k.a Kathleen Cruz, a.k.a. Kathy Debellecitte,
6 a.k.a. Kathleen Lesinski.

7 5. Counts Eighteen and Nineteen: Inducing Alien to Come to, Enter, and Reside
8 in United States in violation of Law, Title 8, United States Code, Section 1324(a)(1)(iv) and
9 (v)(II), defendants **KATHY NELSON** a.k.a Kathleen Cruz, a.k.a. Kathy Debelloit, a.k.a.
10 Kathleen Lesinski, and **DEZRINE JONES**.

11 6. Count Twenty: Conspiracy to Harbor Illegal Aliens, Title 8, United States Code,
12 Section 1324(a)(1)(iii) and (v)(I), defendants **KATHY NELSON** a.k.a Kathleen Cruz, a.k.a.
13 Kathy Debelloitte, a.k.a. Kathleen Lesinski, **GENA RAMAEKERS**, a.k.a. Grazyna
14 Ramaekers, a.k.a. Grazyna Mikolajczyk, and **DEZRINE JONES**.

COUNTS ONE THROUGH SEVEN

17 On or about the dates listed below, in the State and Federal District of Nevada, and
18 elsewhere, in a matter within the jurisdiction of the United States Department of Homeland
19 Security-Immigration and Customs Enforcement,

KATHY NELSON,
a.k.a Kathleen Cruz,
a.k.a. Kathy Debelloitte,
a.k.a. Kathleen Lesinski

23 a defendant herein, did knowingly make under oath and subscribe as true under penalty of
24 perjury, a false statement with respect to a material fact in a form used by the United States
25 Citizenship and Immigration Service, that is, INS Form I-129, known as a "Petition for
26 Nonimmigrant Worker," in which defendant **KATHY NELSON** stated that the aliens would

1 be working for Gulf Coast Resort Management in Crested Butte, Colorado, when defendant
 2 **KATHY NELSON** then and there well knew that the aliens would not be working in Crested
 3 Butte, Colorado, all in violation of Title 18, United States Code, Sections 1546(a).

<u>Count</u>	<u>Date</u>	<u>No. of Aliens</u>	<u>Country</u>
5 ONE	February 1, 2004	33	Jamaica, Romania, Poland
6 TWO	September 9, 2004	11	Jamaica
7 THREE	September 11, 2004	18	Armenia
8 FOUR	September 11, 2004	50	Columbia
9 FIVE	September 15, 2004	31	Columbia
10 SIX	September 26, 2004	17	Argentina
11 SEVEN	October 27, 2004	50 (unnamed)	Columbia

12 **COUNTS EIGHT THROUGH TEN**

13 False Statement

14 On or about the dates listed below, in the State and Federal District of Nevada, and
 15 elsewhere, in a matter within the jurisdiction of the United States Department of Labor, an
 16 agency of the United States,

17 **KATHY NELSON**,
 18 a.k.a Kathleen Cruz,
 a.k.a. Kathy Debelloitte,
 a.k.a. Kathleen Lesinski,

19 defendant herein, did knowingly make under oath and subscribe as true under penalty of
 20 perjury under Title 28, United States Code, Section 1746, false, fraudulent, and fictitious
 21 material statements and representations in a form used by the Ur ited States Department of
 22 Labor, that is, ETA 750, known as an "Application for Alien Employment Certification" in
 23 which defendant **KATHY NELSON** stated that the aliens would be working for Gulf Coast
 24 Resort Management in Crested Butte, Colorado, when defendant **KATHY NELSON** then
 25 and there well knew that the aliens would not be working in Crested Butte, Colorado, all in
 26 violation of Title 18, United States Code, Sections 1001(a)(2).

<u>Count</u>	<u>Date</u>	<u>No. of Aliens</u>	<u>Intended Dates of Employment</u>
2 EIGHT	October 24, 2003	35	12/15/03 to 4/30/04
3 NINE	June 30, 2004	50	11/01/04 to 4/30/05
4 TEN	June 30, 2004	110	11/01/04 to 4/30/05

COUNTS ELEVEN AND TWELVE

Mail Fraud

8 1. From on or before October 24, 2003, and continuing until on or about April 4,
9 2005,

KATHY NELSON,
a.k.a Kathleen Cruz,
a.k.a. Kathy Debelloitte,
a.k.a. Kathleen Lesinski

13 defendant herein, aided and abetted by others known and unknown to the Grand Jury, did
14 devise a scheme and artifice to defraud aliens of monies, funds, and United States currency,
15 and to defraud agencies of the United States.

16 2. It was part of the scheme and artifice that defendant **KATHY NELSON** made
17 false and fraudulent representations and promises to aliens that she and others known and
18 unknown to the Grand Jury could arrange for aliens to lawfully enter and remain in the United
19 States to perform seasonal, nonagricultural work. Aliens subsequently paid to defendant
20 **KATHY NELSON** and others on her behalf monies, funds, and United States currency for
21 defendant **KATHY NELSON** and others known and unknown to arrange with appropriate
22 United States agencies and authorities for the aliens to lawfully enter the United States to
23 perform seasonal, nonagricultural work.

24 It was part of the scheme and artifice that defendant **KATHY NELSON** made false and
25 fraudulent statements in forms used by the United States Department of Labor, that is, ETA
26 750, known as an "Application for Alien Employment Certification" and forms used by the

1 United States Citizenship and Immigration Service, that is, INS Form I-129, known as a
2 "Petition for Nonimmigrant Worker," in which defendant **KATHY NELSON** falsely stated that
3 the aliens would be working for Gulf Coast Resort Management in Crested Butte, Colorado.
4 Subsequently, defendant **KATHY NELSON**, through in part her submission of fraudulent
5 forms to agencies of the United States, did induce aliens, who believed they were lawfully
6 entering the United States to perform seasonal, nonagricultural work, to unlawfully enter and
7 illegally remain in the United States for the purposes of defendant **KATHY NELSON**'s own
8 commercial advantage and private financial gain.

9 3. On or about the dates listed below, in the State and Federal District of Nevada
10 and elsewhere,

14 defendant herein, for the purpose of executing the scheme and artifice, did place in and
15 cause to be placed in the mails, a matter and thing to be sent and delivered by an authorized
16 depository for mail matter, that is, Federal Express, and did knowingly cause to be delivered
17 by the mails according to the instructions thereon such matter and thing, that is, the below
18 described mail matter, with each mailing constituting a separate violation of Title 18, United
19 States Code, Section 1341.

	<u>Count</u>	<u>Date</u>	<u>Mailing</u>
20			
21	ELEVEN	on or about 02/02/04	KATHY NELSON did mail and did cause to be mailed through Federal Express, from Henderson, Nevada, to Laguna Niguel, California, an INS Form I-129, known as a "Petition for Nonimmigrant Worker," executed on or about February 1, 2004, for 33 aliens.
22			
23			
24	. . .		
25	. . .		
26	. . .		

1 **TWELVE** on or about 10/27/04

2
3
4 **KATHY NELSON** did mail and did cause to be
5 mailed through Federal Express, from Henderson,
6 Nevada, to Lincoln, Nebraska, an INS Form I-129,
7 known as a "Petition for Nonimmigrant Worker,"
8 executed on or about October 27, 2004, for 50
9 unnamed aliens.

10 **COUNTS THIRTEEN THROUGH SEVENTEEN**

11 Wire Fraud

12 1. From on or before October 24, 2003, and continuing until on or about April 4,
13 2005,

14 9 **KATHY NELSON**,
15 10 a.k.a Kathleen Cruz,
16 11 a.k.a. Kathy Debelloitte,
17 defendant herein, aided and abetted by others known and unknown to the Grand Jury, did
18 devise a scheme and artifice to defraud aliens of monies, funds, and United States currency,
19 and to defraud agencies of the United States.

20 15 2. It was part of the scheme and artifice that defendant **KATHY NELSON** made
21 16 false and fraudulent representations and promises to aliens that she and others known and
22 17 unknown to the Grand Jury could arrange for aliens to lawfully enter and remain in the United
23 18 States to perform seasonal, nonagricultural work. Aliens subsequently paid to defendant
24 19 **KATHY NELSON** and others on her behalf monies, funds, and United States currency for
25 20 defendant **KATHY NELSON** and others known and unknown to arrange with appropriate
26 21 United States agencies and authorities for the aliens to lawfully enter the United States to
27 22 perform seasonal, nonagricultural work.

28 23 It was part of the scheme and artifice that defendant **KATHY NELSON** made false
29 24 and fraudulent statements in forms used by the United States Department of Labor, that is,
30 25 ETA 750, known as an "Application for Alien Employment Certification" and forms used by
31 26 the United States Citizenship and Immigration Service, that is, INS Form I-129, known as a

1 "Petition for Nonimmigrant Worker," in which defendant **KATHY NELSON** falsely stated that
2 the aliens would be working for Gulf Coast Resort Management in Crested Butte, Colorado.
3 Subsequently, defendant **KATHY NELSON**, through in part her submission of fraudulent
4 forms to agencies of the United States, did induce aliens, who believed they were lawfully
5 entering the United States to perform seasonal, nonagricultural work, to unlawfully enter and
6 illegally remain in the United States for the purposes of defendant **KATHY NELSON**'s own
7 commercial advantage and private financial gain.

8 3. On or about the dates listed below, in the State and Federal District of Nevada,
9 and elsewhere,

KATHY NELSON,
a.k.a Kathleen Cruz,
a.k.a. Kathy Debelloitte,
a.k.a. Kathleen Lesinski,

13 defendant herein, for the purpose of executing the scheme and artifice, did transmit and did
14 cause to be transmitted by means of wire communications in interstate commerce, certain
15 writings, signs, signals, pictures, and sounds, that is, forms used by the United States
16 Citizenship and Immigration Service, to wit: INS Form I-129, known as a "Petition for
17 Nonimmigrant Worker," on or about the dates listed below, with each wire communication
18 constituting a separate violation of Title 18, United States Code, Section 1343.

	<u>Count</u>	<u>Date</u>	<u>Wire</u>
19			
20	THIRTEEN	on or about 09/09/04	KATHY NELSON did transmit in interstate commerce, from Henderson, Nevada, to Lincoln, Nebraska, by means of wire communication an INS Form I-129, known as a "Petition for Nonimmigrant Worker," executed on or about September 9, 2004, for 11 aliens.
21			
22			
23			
24	. . .		
25	. . .		
26	. . .		

1 <u>Count</u>	2 <u>Date</u>	3 <u>Wire</u>
2 FOURTEEN	3 on or about 09/11/04	4 KATHY NELSON did transmit in interstate 5 commerce, from Henderson, Nevada, to 6 Lincoln, Nebraska, by means of wire 7 communication an INS Form I-129, known 8 as a "Petition for Nonimmigrant Worker." 9 executed on or about September 11, 2004, for 18 aliens.
6 FIFTEEN	7 on or about 09/11/04	8 KATHY NELSON did transmit in interstate 9 commerce, from Henderson, Nevada, to Lincoln, Nebraska, by means of wire communication an INS Form I-129, known as a "Petition for Nonimmigrant Worker," executed on or about September 11, 2004, for 50 aliens.
10 SIXTEEN	11 on or about 09/15/04	12 KATHY NELSON did transmit in interstate 13 commerce, from Henderson, Nevada, to Lincoln, Nebraska, by means of wire communication an INS Form I-129, known as a "Petition for Nonimmigrant Worker," executed on or about September 15, 2004, for 31 aliens.
14 SEVENTEEN	15 on or about 09/26/04	16 KATHY NELSON did transmit in interstate 17 commerce, from Henderson, Nevada, to Lincoln, Nebraska, by means of wire communication an INS Form I-129, known as a "Petition for Nonimmigrant Worker," executed on or about September 26, 2004, for 17 aliens.

COUNT EIGHTEEN AND NINETEEN

19 Inducing Aliens to Come To, Enter, and Reside in the United States in Violation of Law
20 On or about the below listed dates, in the State and Federal District of Nevada,
21 and elsewhere,

22 **KATHY NELSON,**
23 a.k.a Kathleen Cruz,
24 a.k.a. Kathy Debelloitte,
 a.k.a. Kathleen Lesinski, and
 DEZRINE JONES,

25 defendants herein, aiding and abetting one another, for the purpose of their own commercial
26 advantage and private financial gain, did encourage and induce the below described aliens

1 to come to, enter, and reside in the United States, knowing and in reckless disregard of the
 2 fact that their coming to, entry, and residing in the United States was in violation of law, with
 3 each alien constituting a separate violation.

4 All in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iv)
 5 1324(a)(1)(A)(v)(II), and 1324(a)(1)(B)(i).

<u>Counts</u>	<u>Date</u>	<u>Alien Beneficiary</u>
7 EIGHTEEN	Arrival on or about 12/01/04	Juan Manuel Muzzio by means of INS Form I-129, known as a "Petition for Nonimmigrant Worker," executed on or about September 26, 2004 for 17 aliens
11 NINETEEN	Arrival on or about 12/01/04	Paola Rios by means of INS Form I-129, known as a "Petition for Nonimmigrant Worker," executed on or about September 26, 2004 for 17 aliens

15 **COUNT TWENTY**
 16 Conspiracy to Harbor Aliens in Violation of Law

17 From on or about October 24, 2003, until on or about April 4, 2005, in the State
 18 and Federal District of Nevada, and elsewhere,

19 **KATHY NELSON**,
 20 a.k.a Kathleen Cruz,
 21 a.k.a. Kathy Debelloitte,
 22 a.k.a. Kathleen Lesinski,
GENA RAMAEKERS,
 23 a.k.a. Grazyna Ramaekers,
 a.k.a. Grazyna Mikolajczyk, and
DEZRINE JONES,

24 did knowingly and intentionally combine, conspire, confederate and agree together
 25 and with each other and persons known and unknown to the Grand Jury, to conceal,
 26 harbor, and shield from detection illegal aliens, within the United States, in violation

1 of Title 8, United States Code, Sections 1324(a)(1)(A)(iii), 1324(a)(A)(v)(I), and
2 1324(a)(1)(B)(i).

3 **OBJECT OF THE CONSPIRACY**

4 It was an object of the conspiracy that the defendants would knowingly conceal,
5 harbor, and shield from detection certain aliens, including Juan Manuel Muzzio, Paola
6 Rios, Yvonne Goldson, and Garfield Atherton, within the United States, knowing said
7 aliens had come to, entered and remained in the United States in violation of law.

8 All in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii)
9 1324(a)(1)(A)(v)(I), and 1324(a)(1)(B)(ii).

10 DATED: this 26 day of June 2007.

11 A TRUE BILL:

12

13

14 */s/*
15 FOREPERSON OF THE GRAND JURY

16 STEVEN W. MYHRE
17 
18 Acting United States Attorney

19 KIMBERLY M. FRAYN
20 Assistant United States Attorney

21

22

23

24

25

26